

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**IN RE:**

**BEN S. KIM, MS, DDS, PA,  
Debtor**

**BEN S. KIM, MS, DDS, PA,  
Plaintiff**

**v.**

**INTCO EK GP, INC, INTCO  
DEVELOPMENT OF TEXAS, INC,  
INTCO EK L.P., KANE K. HUI AND  
ERNEST H. HUI,  
Defendants**

**CASE NO. 10-54005 K**

**ADVERSARY NO.10-05114 K**

**CHAPTER 7**

**MOTION TO DISMISS**

**TO THE HONORABLE RONALD B. KING, U.S. BANKRUPTCY JUDGE:**

Ben S. Kim, MS, DDS, PA, Plaintiff, respectfully represents:

1. The Plaintiff has recovered most of the property made the basis of this lawsuit and accordingly requests that the Court dismiss this adversary proceeding without prejudice.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff prays that the Court dismiss this proceeding with prejudice without each party to bear its or their own costs.

Dated: 8<sup>th</sup> of December, 2010.

Respectfully submitted,

LAW OFFICES OF MARTIN SEIDLER  
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By: /s/  
MARTIN SEIDLER, #18000800  
ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that true copies of the foregoing document was faxed to the following, on this the 8<sup>th</sup> day of December, 2010:

James V. Hoeffner  
Graves, Dougherty, Hearon & Moody, P.C.  
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/s/  
MARTIN SEIDLER